



1722
JCPA

I hereby Certify that this Correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450,
Alexandria, VA 22313-1450, on February 10, 2004.

Janice Capuani

Name Janice Capuani

Signature

February 10, 2004

Date of Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Ryan et al.

Serial No.: 10/045,567

Filed: October 19, 2001

For: Nickel Blow Mold and Holder Defining
Heat Transfer Passages Therebetween

Examiner: Robert B. Davis

Group Art Unit: 1722

RESPONSE TO FIRST OFFICE ACTION DATED NOVEMBER 10, 2003, **AMENDMENTS, AND REQUEST FOR RECONSIDERATION**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

1. This is a response to the First Office Action dated November 10, 2003.

2. The present claim status is as follows:
 - a) claims 1-16 are pending,
 - b) claims 1,13, and 15 were rejected under 35 U.S.C. §102 (b) as being anticipated by U.S. Pat. No. 4,872,827 to Noda (hereinafter Noda),
 - c) claim 6 was rejected under 35 U.S.C. §103(a) as being unpatentable over Noda in view of U.S. Pat. No. 3,097,398 to Inglesby (hereinafter Inglesby),

02/17/2004 DEMMANU1 00000043 10045567

01 FC:2201
02 FC:2202

86.00 OP
36.00 OP

<p style="text-align: center;">P<small>ATENT</small> F<small>EE</small> T<small>RANSMITTAL</small> for FY 2004 <i>Effective 10/7/2003. Patent Fees are subject to annual revision.</i></p> <p>FEB 12 2004</p> <p>P<small>ATENT</small> F<small>EE</small> T<small>RANSMITTAL</small></p> <p><input type="checkbox"/> claims small entity status. See 37 CFR 1.27.</p>																																																																													
Approved for use through 07/31/2006, OMB 0651-0032			Application Number 10/045,567																																																																										
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METHOD OF PAYMENT (check all that apply)			FEES CALCULATION (continued)																																																																										
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input type="checkbox"/> Deposit Account: Deposit Account Number: <u>08-2442</u> Deposit Account Name: <u>Hodgson Russ LLP</u>			3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th><u>Large Entity</u></th> <th><u>Small Entity</u></th> <th colspan="3"></th> <th></th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> <th colspan="2">Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>1051</td> <td>130</td> <td>2051</td> <td>65</td> <td colspan="2">Surcharge - late filing fee or oath</td> <td>\$</td> </tr> <tr> <td>1052</td> <td>50</td> <td>2052</td> <td>25</td> <td colspan="2">Surcharge - late provisional filing fee or cover sheet</td> <td>\$</td> </tr> <tr> <td>1053</td> <td>130</td> <td>1053</td> <td>130</td> <td colspan="2">Non-English specification</td> <td>\$</td> </tr> </tbody> </table>			<u>Large Entity</u>	<u>Small Entity</u>					Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description		Fee Paid	1051	130	2051	65	Surcharge - late filing fee or oath		\$	1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet		\$	1053	130	1053	130	Non-English specification		\$																																						
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			1252	420	2252	210	Extension for reply within second month	\$																																																																					
			1253	950	2253	475	Extension for reply within third month	\$																																																																					
			1254	1,480	2254	740	Extension for reply within fourth month	\$																																																																					
			1255	2,010	2255	1,005	Extension for reply within fifth month	\$																																																																					
SUBTOTAL (1)			\$	1401	330	2401	165	Notice of Appeal	\$																																																																				
2. EXTRA CLAIM FEES FOR UTILITY/ REISSUE <table border="1"> <thead> <tr> <th><u>Extra</u></th> <th><u>Fee from</u></th> <th colspan="3"></th> <th></th> </tr> <tr> <th>Claims</th> <th>below</th> <th>Fee Paid</th> <th></th> <th></th> <th></th> </tr> </thead> <tbody> <tr> <td>Total Claims</td> <td>/ / -20** = / 4 / x / 9 / =</td> <td>\$36</td> <td>1403</td> <td>290</td> <td>2403</td> <td>145</td> <td>Request for oral hearing</td> <td>\$</td> </tr> <tr> <td>Independent Claims</td> <td>/ / - 3** = / 2 / x / 43 / =</td> <td>\$86</td> <td>1451</td> <td>1,510</td> <td>1451</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> <td>\$</td> </tr> <tr> <td>Multiple dependent</td> <td>/ / x / / =</td> <td>\$</td> <td>1452</td> <td>110</td> <td>2452</td> <td>55</td> <td>Petition to revive - unavoidable</td> <td>\$</td> </tr> </tbody> </table>			<u>Extra</u>	<u>Fee from</u>					Claims	below	Fee Paid				Total Claims	/ / -20** = / 4 / x / 9 / =	\$36	1403	290	2403	145	Request for oral hearing	\$	Independent Claims	/ / - 3** = / 2 / x / 43 / =	\$86	1451	1,510	1451	1,510	Petition to institute a public use proceeding	\$	Multiple dependent	/ / x / / =	\$	1452	110	2452	55	Petition to revive - unavoidable	\$	1402	330	2402	165	Filing a brief in support of an appeal	\$																														
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SUBTOTAL (2)			\$122	8021	40	8021	40	Recording each patent assignment per property (times number of properties)	\$																																																																				
SUBMITTED BY: John M. Del Vecchio Reg. No. 42,475			1809	770	2809	385	Filing a submission after final rejection(37 CFR 1.129(a))	\$																																																																					
SIGNATURE <i>John M. Del Vecchio</i>			1810	770	2810	385	For each add'l invention to be examined(37 CFR 1.129(b))	\$																																																																					
DATE: February 10, 2004 Telephone: (716) 848-1644			1801	770	2801	385	Request For Continued Examination (RCE)	\$																																																																					
			1802	900	1802	900	Request for Expedited Examination of a design application	\$																																																																					
Other fee (specify)								\$																																																																					
*Reduced by basic filing fee paid							SUBTOTAL (3)	\$																																																																					

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Janice Capuani
Name

Janice Capuani
Signature

February 10, 2004
Date of Signature

- d) claim 14 was rejected under 35 U.S.C. §103(a) as being unpatentable over Noda in view of U.S. Pat. No. 5,968,560 to Briere et al. (hereinafter Briere et al.),
- e) claim 16 was rejected under 35 U.S.C. §103(a) as being unpatentable over Noda in view of U.S. Pat. No. 4,962,555 to Nakamura (hereinafter Nakamura),
- f) claims 4 and 5 were rejected under 35 U.S.C. §103(a) as being unpatentable over Noda in view of Japanese reference (5-112887),
- g) claims 2-3 and 7-12 are objected to as being dependent on a rejected base claim, but would be allowable if rewritten in independent form to include all the limitations of the base claim and intervening claims,
- h) claims 17-24 are new claims.

3. What follows is an amendment to a paragraph in the specification, followed by the amended claims. It is noted underlined words are being added, whereas words with a strikeout line through them or contained within double brackets are being deleted.

In the specification, page 4, at lines 18-23, please replace the fourth full paragraph with the following “replacement paragraph”:

The mold holder 12 defines a recess 32 on its front face. The recess 32 is designed to receive the rear face 36 of the mold cavity shell 10 such that a heat transfer passage 39 is formed ~~therebetween~~ between the entire rear face of cavity 34 and recess 32 for air flow for cooling and heating mold cavity portion 13. Recess 32 also includes an air inlet(s) 40 and air outlet(s) 41 to allow for the entry and exit of air in the heat transfer passages 39. Similarly, the mold cavity bottom 14 can also have an air inlet(s) [[(43)]] 43 and air outlet(s) (not shown).